

Jan-03-2006 04:57pm From-KATTENMUTTAN1527B

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T-222 P-002/004 F-984

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US PATENT & TRADEMARK  
Attorney Docket No. SWAKA 20.720 (100957-00081)  
OFFICE

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Signature: Jeney Han JENEE HAN  
Date: 1/3/06

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor : Fumio ASAMURA et al.  
Serial No. : 10/698,003  
Filed : October 30, 2003  
Title : HIGH FREQUENCY OSCILLATOR  
Group Art Unit : 2817

January 3, 2006

Via Facsimile  
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Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND**

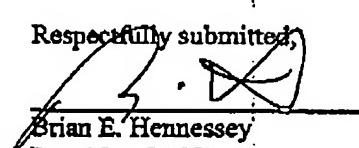
SIR:

We hereby submit a request for a refund of \$1,020.00 to be credited to our Deposit Account No. 50-1290.

According to the Decision on Petition mailed December 22, 2005, a copy of which is enclosed, we had unnecessarily paid an extension of time fee in connection with this petition.

Any fee, due as a result of this paper may be charged on Deposit Account No. 50-1290.

Respectfully submitted,

  
\_\_\_\_\_  
Brian E. Hennessey  
Reg. No. 51,271

**CUSTOMER NUMBER 026304**

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## OFFICE OF PETITIONS

In re Application of	:	
Asamura, et al.	:	DECISION ON PETITION
Application No. 10/698,003	:	
Filed: October 30, 2003	:	
Docket No.: WAKA 20.720	:	
(100957-00081	:	

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed November 4, 2005, to revive the above-identified application.

The petition is GRANTED.

This application became abandoned July 20, 2005 for failure to timely reply to the non-final Office action mailed April 19, 2005. The Notice set a three (3) month shortened statutory period of time for reply. No extensions of time in accordance with 37 C.F.R. § 1.136 were timely requested. Notice of Abandonment was mailed October 24, 2005.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the failure to timely submit a proper reply to the non-final Office action is accepted as having been unintentionally delayed.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Therefore, no extension of time fee is due in connection with this petition. The extension of time

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Application No. 10/698,003

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fee submitted herewith is thus unnecessary. Petitioner may request a refund of the \$1,020.00 extension of time fee submitted herewith by writing to the Finance Office, Refund Section. A copy of this decision should accompany any request for refund.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



Alesia M. Brown  
Petitions Attorney  
Office of Petitions

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**Katten Muchin Rosenman LLP**

575 Madison Avenue  
New York, NY 10022-2585  
212.940.8800 office 212.940.8778 fax

**Facsimile**

To	Company	Fax Number	Phone Number
1 Finance Office - Refund Section	USPTO- GAU 2817 10/698,003	571-273-6500	

Date Our Reference Number  
**January 3, 2006** **WAKA 20.720 (100957-00081)**  
From Email Address  
**Brian E. Hennessey** **Brian.Hennessey@kattenlaw.com**  
Direct Phone Direct Fax  
**(212) 940-6311** **(212) 940-8986**

**Total number of pages, including cover letter: 4**  
**If you do not receive all of the pages, please call: (212) 940-6784**

Comments

Enclosed:

1 page – Request for Refund

2 pages – Copy of Decision on Petition mailed December 22, 2005 by the USPTO

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: Fumio ASAMURA et al.

Serial No.: 10/698,003

Confirmation No.: 7419

Filed: October 30, 2003

Title: **HIGH FREQUENCY OSCILLATOR**

Examiner: Arnold M. Kinkead

Group Art Unit: 2817

Attorney Docket No.: WAKA 20.720 (100957-00081)

November 4, 2005

Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR EXTENSION OF TIME**

Sir:

Applicant requests that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for:

- ( one month      ( X) three months  
( two months      ( four months

The fee set in 37 CFR 1.17 for a three-month extension of time is \$1020.

11/08/2005 CNGUYEN 00000123 501290 10698003

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Adjusted date 01/19/2006 EFKUBAYI  
11/08/2005 CNGUYEN 00000123 501290 10698003  
02 FC:1253 1020.00 CR